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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,577	03/08/2002	Harri Lahti	4925-147PUS	2494
7590	02/22/2006		EXAMINER	
Michael C Stuart Cohen Pontani Lieberman & Pavane Suite 1210 551 Fifth Avenue New York, NY 10176			GHULAMALI, QUTBUDDIN	
			ART UNIT	PAPER NUMBER
			2637	
			DATE MAILED: 02/22/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/937,577	LAHTI ET AL.
	Examiner	Art Unit
	Qutub Ghulamali	2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 December 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 13-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 13, 14 and 20-27 is/are allowed.
- 6) Claim(s) 15 and 17-19 is/are rejected.
- 7) Claim(s) 16 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 March 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>9/27/01</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

1. This Office Action is responsive to applicant's Remarks/Arguments/Amendments filed on 12/01/2005.

### *Specification*

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In the instant case the abstract uses the phraseology "means" which is generally regarded as not acceptable.

### *Claim Objections*

3. Claim 13 is objected to because of the following informalities: Claim 13, line 5, recites "parallel dock". It should instead recite -- clock--. Additionally, claim 13, line 16, recites "selected clock signal to the second clock signal that the". It is not clear what the claim recitation means by "selected clock signal to the second clock signal that the".

Appropriate corrections are required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 19 recites the limitation "the outdoor unit" in line 1. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Goode (USP 4,953,185).

Regarding claim 18, Goode discloses digital data transmission comprising: a transmitter for transmitting clock signals and respectively a receiver for receiving clock signals (col. 3, lines 19-45; col. 4, lines 55-61); and

a phase lock to be synchronized with a received clock signal and means for outputting a signal that indicates a reliability (essentially remains locked) of locking the received clock signal (col. 6, lines 37-64).

Regarding claim 19, Goode discloses radio link in a mobile telecommunications system (col. 2, lines 50-55; col. 4, lines 26-32).

9. Claims 15 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Baba et al (USP 5,528,198) in view of Goode (USP 4,953,185).

Regarding claim 15, Baba discloses a digital data transmission comprising: and for a changeover device including means for receiving parallel clock signals from at least two parallel data transmission paths, the parallel clock signals being generated from a single originating clock signal (col. 2, lines 40-56; col. 4, lines 9-14; col. 5, lines 55-60); means for forwarding a selected one of the parallel clock signals (first through fourth) to an output of the unit (col. 6, lines 7-22); and means for changing a selected clock signal from a first clock signal of the parallel clock signals to a second clock signal of the parallel clock signals (col. 20-57). Baba however, is silent regarding an indication of unreliability of locking the selected clock signal.

Goode in a similar field of endeavor discloses a phase lock to be synchronized with a received clock signal and means for outputting a signal that indicates unreliability of locking the selected (first through fourth) clock signal (col. 6, lines 37-64). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a phase lock to be synchronized with a received clock signal and means for outputting a signal that indicates unreliability of locking the selected clock signal as taught by Goode in the system of Baba because it can allow efficient selection of signal during clock acquisition.

Regarding claim 17, Baba discloses all limitations of the claim except is silent unit is part of radio link in a mobile telecommunications system. Goode in a similar field of endeavor discloses radio link in a mobile telecommunications system (col. 2, lines 50-55; col. 4, lines 26-32). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a unit as a radio link in a mobile telecommunications system as taught by Goode in the system of Baba because it can provide communication between base and target units much more efficiently.

*Allowable Subject Matter*

10. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. Claim 13-14, 20-27 allowed.

*Conclusion*

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patents:

Knapp (USP 6,763,060) discloses a communication system employing a network that can generate clocking signal.

Tan et al (USP 6,211,742) shows a lock detector for phase locked loops.

Hovorka et al (USP 6,504,633) discloses an analog and digital electronic receivers for dual wireless data networks.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutub Ghulamali whose telephone number is (571) 272-3014. The examiner can normally be reached on Monday-Friday, 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QG.  
February 14, 2006.

*Jean B. Corrielus*  
JEAN B. CORRIELUS  
PRIMARY EXAMINER  
2-19-06